

STATE OF MARYLAND	*	IN THE	
vs.	*	CIRCUIT COURT	
JUSTIN EDWARD GREGORY	*	FOR	CM
Defendant	*	FREDERICK COUNTY	
	*	Case No.: C-10-CR-23-000808	

* * * * *

REQUEST FOR DISCOVERY AND INSPECTION

The following requests are made, in accordance with Maryland Rule 4-263, on behalf of the Defendant in the above-captioned action, by their undersigned attorney, and

a. The requests extend to material and information in the possession or control of the State's Attorney, members of his/her staff and any others who have participated in the investigation or evaluation of the case and who either regularly report or, with reference to the particular case, have reported to the State's Attorney or his/her office.

b. The purpose of these requests is to obtain disclosure of material and information to the fullest extent authorized and directed by Maryland Rule 4-263, and this general purpose shall supersede any language or expression which might otherwise appear to be a limitation upon the object or scope of any request.

c. Captions or headings used to separate paragraphs are not part of the requests, but are for convenience only.

d. Material and information discovered by the State's Attorney after his/her initial compliance with these requests shall be furnished promptly after such discovery in accordance with Maryland Rule 4-263(h).

e. These requests are in no way to be considered a waiver of the information required to be furnished without request of the State's Attorney, pursuant to Md. Rule 4-263(a), to the Defendant.

The State's Attorney is requested to:

(1) Furnish to the Defendant: a) any material or information which tends to negate the guilt of the Defendant as to the offense(s) charged; b) any material or information within his/her possession or control which would tend to reduce the Defendant's punishment for such offense(s); c) any relevant material or information regarding specific searches and seizures (including, but not limited to, AFR inventory); d) any relevant material or information regarding wire taps and eavesdropping; e) any relevant material or information regarding the acquisition of statements made by the Defendant; f) any relevant material or information regarding pre-trial identification of the Defendant by a witness for the State.

(2) Disclose the name and address of each person whom the State intends to call as a witness at a hearing or trial to prove its case in chief.

(3) Disclose the name and address of each person whom the State intends to call as a witness at a hearing or trial to rebut alibi testimony.

(4) Furnish the Defendant with the names, addresses and physical descriptions of any person(s), other than the Defendant, who were arrested or otherwise taken into custody by police or prosecution officials as a possible suspect in this case in which the Defendant is charged.

(5) Furnish the Defendant's counsel with copies of any and all written memoranda which any of the State's witnesses will take with them to the witness stand or refer to while testifying during the State's case in chief.

(6) Identify, giving home and business addresses and telephone numbers, those persons testifying before the Grand Jury in this case.

(7) Furnish a copy of each written or recorded statement made by the Defendant to a State agent which the State intends to use at a hearing or trial.

(8) Furnish the substance of each oral statement made by the Defendant to a State agent which the State intends to use at a hearing or trial.

(9) Furnish a copy of all reports of each oral statement made by the Defendant to a State agent which the State intends to use at a hearing or trial.

(10) Furnish a copy of each written or recorded statement made by a co-defendant, and/or accomplice, and/or accessory after the fact to a State agent which the State intends to use at a hearing or trial.

(11) Furnish the substance of each oral statement made by a co-defendant, and/or accomplice, and/or accessory after the fact to a State agent which the State intends to use at a hearing or trial. Identify, by giving home and business addresses and telephone numbers of the person(s) who heard the statements or who were within earshot of them. Include dates and places of such statements.

(12) Produce and permit the Defendant to inspect and copy all written reports or statements made in connection with the Defendant's case by each expert consulted by the State, including the results of any physical or mental examination, scientific test, experiment or comparison.

(13) Furnish the substance of any oral report and conclusion made in connection with the Defendant's case by each expert consulted by the State, including the results of any physical or mental examination, scientific test, experiment or comparison.

(14) Produce and permit the Defendant to inspect and copy any books, papers, documents, recordings or photographs which the State intends to use at a hearing or trial.

(15) Permit the Defendant to inspect any photographs which police or prosecuting authorities may have exhibited to any witness for purposes of identification of the Defendant, and any other photographs which the State intends to use in the trial of the Defendant and the presentation of its case in chief, and to furnish the Defendant with copies of said photographs, the names and address of witnesses who viewed said photographs and the results of each viewing of said photographs.

(16) Produce and permit the Defendant to inspect and photograph any tangible objects which the State intends to use at a hearing or trial.

(17) Advise the Defendant as to whether the Defendant was confronted by identification witnesses in any manner other than a line-up while Defendant was in custody of police or prosecution authorities and, if so, to furnish the Defendant with the time, place and circumstances of such confrontation, including the names and addresses of all persons participating in said confrontation.

(18) Produce and permit the Defendant to inspect, copy and photograph any item obtained from, or belonging to the Defendant, whether or not the State intends to use the item at a hearing or trial.

(19) Provide the defense with the names and addresses of any informants, confidential or otherwise, who participated in the alleged illegal act which is the basis for this Indictment, or who participated in any illegal act which formed any part of the basis for any warrant or process issued and executed in this case, or who participated in any illegal act which was relied upon by any law enforcement official as probable cause to make an arrest and/or search in this case.

(20) Disclose any promises, understandings or agreements made with any State's witness for his/her agreement to testify in this case. *Giglio v. United States*, 405 U.S. 150 (1972).

(21) Provide the defense with the names and assignment of any law enforcement officer, City, County, State or Federal, who participated in any sale, purchase or negotiation for the sale or purchase of any contraband, said sale, purchase or negotiation having formed any part of the basis for the charge against the Defendant, or any part of the alleged probable cause for an arrest or search involving the Defendant.

(22) Identify (and include duty stations) the members of any police department or other government agency who participated in the investigation, pursuit, arrest or interrogation of the Defendant in this case.

(23) State whether or not a lineup was conducted or any other type of identification. If yes, disclose giving names and addresses were applicable:

- a. Those persons who were witnesses to the identification process;
- b. Those persons who stood in the lineup with the Defendant;
- c. Any acts or statements of the defendant at the identification procedure;
- d. Any acts or statements of any other person standing in the lineup;
- e. The names and addresses of any persons who identified the Defendant;
- f. Whether or not the Defendant signed a waiver to stand in the lineup;
- g. Whether or not a photograph was taken of the lineup;
- h. When and where such identification procedures were conducted; and
- i. State whether or not the Defendant was positively identified,

tentatively identified were not identified at all.

(24) In accordance with *Giglio v. United States*, 405 U.S. 150 (1972) disclose any promises, understandings or agreements made with any state witnesses pertaining to his/her agreement to testify and give evidence in this case or any other case.

(25) Attached to your answers, copies of the following: fingerprints, examiner's report, any photographs taken by police and/or photographs used in the photo lineup procedure.

(26) Attach any and all wiretap information, including audio or transcribed proceedings.

/s/ Mark E. Sobel

MARK E. SOBEL, ESQUIRE
Law Office of James E. Crawford, Jr.
& Associates, LLC
999 Corporate Boulevard, Suite 100
Linthicum, Maryland 21090
(443) 709-9999
mark@jamescrawfordlaw.com
Attorney for Defendant
AIS/CPF # 1506040006

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of September 2023, a copy of the foregoing Request for Discovery and Inspection was served via MDEC to the Office of the State's Attorney for Frederick County.

/s/ Mark E. Sobel

MARK E. SOBEL, ESQUIRE